

**CARLSON, GASKEY & OLDS, P.C.****FACSIMILE COVER PAGE**

<b>Date:</b> September 26, 2005	<b>Time:</b>
<b>To:</b> Office of Petitions	<b>For Information Call:</b> John M. Siragusa (248) 988-8360
<b>Fax Number:</b> 571-273-8300	<b>At:</b> Carlson, Gaskey & Olds
<b>From:</b> John M. Siragusa	<b>Fax Number:</b> (248) 988-8363
<b>Pages (including cover page):</b> 13	<b>Client Billing Number:</b> 60298-038
USSN 09/090,358 Filed: June 4, 1998	

400 West Maple, Suite 350  
Birmingham, MI 48009

Carlson, Gaskey & Olds, PC  
ASSISTANT COMMISSIONER OF PATENTS  
PATENTS

10200-22  
113-04  
113  
10203-038

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60298-038

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re application: Loprete  
Serial No 09/090,358  
Filed: June 04, 1998  
Examiner: Gray, Michael Kuhn  
Group Art Unit: 3746  
For: SCROLL COMPRESSOR WITH MOTOR CONTROL FOR CAPACITY  
MODULATION

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully requests that the holding of abandonment for the subject application be withdrawn. A notice of abandonment mailed March 31, 2004 improperly indicated that no formal drawings were received prior to the due date of February 3, 2004. These drawings along with the issue fee were filed by Applicant on January 5, 2004.

Enclosed with this petition is a copy of the Letter to the Official Draftsman along with the 3 sheets of formal drawings. The letter includes the proper certificate of mailing stating that the letter was deposited with the United States postal service on January 5, 2004.

60298-038

Further, enclosed is a copy of the Post card receipt dated as received by the Patent office on January 12, 2004. The Post card receipt indicates that the Issue Fee transmittal, letter to the official draftsman and 3 sheets of formal drawings were received by the Patent office on January 12, 2004.

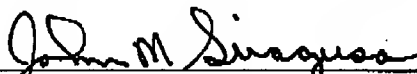
Further enclosed with this petition is a copy of the Issue Fee Transmittal also submitted on the same date. The issue fee payment was recorded on January 12, 2004 as is indicated by the Patent Application Information Retrieval system, a print out of which is enclosed.

As is evidenced by the copies of the post card receipt and the mailing certificate, the required formal drawings were submitted and received by the Patent office prior to the due date of February 3, 2004. For these reasons, and supported by the enclosed documents, Applicant requests that the application be withdrawn from abandonment and the patent proceed to grant.

Applicant believes that no additional fees are due, however, if any additional fees are required please charge our deposit account No. 50-1482 in the name of Carlson, Gaskey & Olds. If any further information is required and a teleconference will facilitate moving this case forward please contact Applicant's representative at the number indicated below.

Respectfully Submitted,

CARLSON, GASKEY & OLDS, P.C.

  
JOHN M. SIRAGUSA  
Registration No. 46,174  
Attorneys for Applicant  
CARLSON, GASKEY & OLDS, P.C.  
400 West Maple Road, Suite 350  
Birmingham, Michigan 48009  
(248) 988-8360

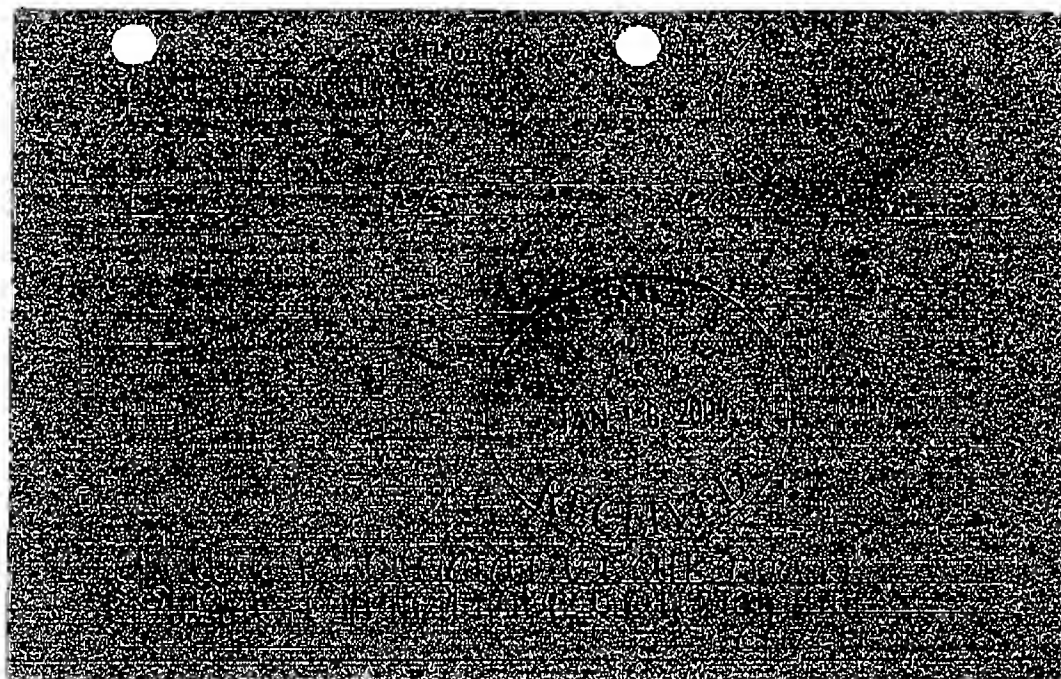
Dated: April 13, 2004

60298-038

CERTIFICATE OF MAIL

I hereby certify that the enclosed Petition to Withdraw Holding of Abandonment, copies of the Letter to the Official Draftsman, 3 sheets of formal drawings, Issue Fee Transmittal, and a copy of the return receipt postcard are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 13, 2004.

  
Amy M. Spaulding



**BEST AVAILABLE COPY**

60298-038

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**SEP 26 2005**

**Applicant:** Loprete  
**Serial Number:** 09/090,358  
**Filed:** June 4, 1998  
**Group Art Unit:** 3746  
**Examiner:** Gray, Michael Kuhn  
**Title:** SCROLL COMPRESSOR WITH MOTOR CONTROL FOR  
CAPACITY MODULATION

**LETTER TO THE OFFICIAL DRAFTSMAN**

Dear Sir:

Applicant hereby submits three (3) sheets of formal drawings. Favorable consideration is requested.

Respectfully Submitted,

CARLSON, GASKEY & OLDS, P.C.

January 5, 2004  
Date

John M. Siragusa  
John M. Siragusa  
Registration No. 46,174  
400 West Maple, Suite 350  
Birmingham, MI 48009  
(248) 988-8360

**CERTIFICATE OF MAILING**

I hereby certify that this Letter To The Official Draftsman is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 5, 2004.

Amy M. Spaulding  
Amy M. Spaulding

REPLACEMENT SHEET  
Serial No. 09/090,358  
Filed 06/04/1998

1/3

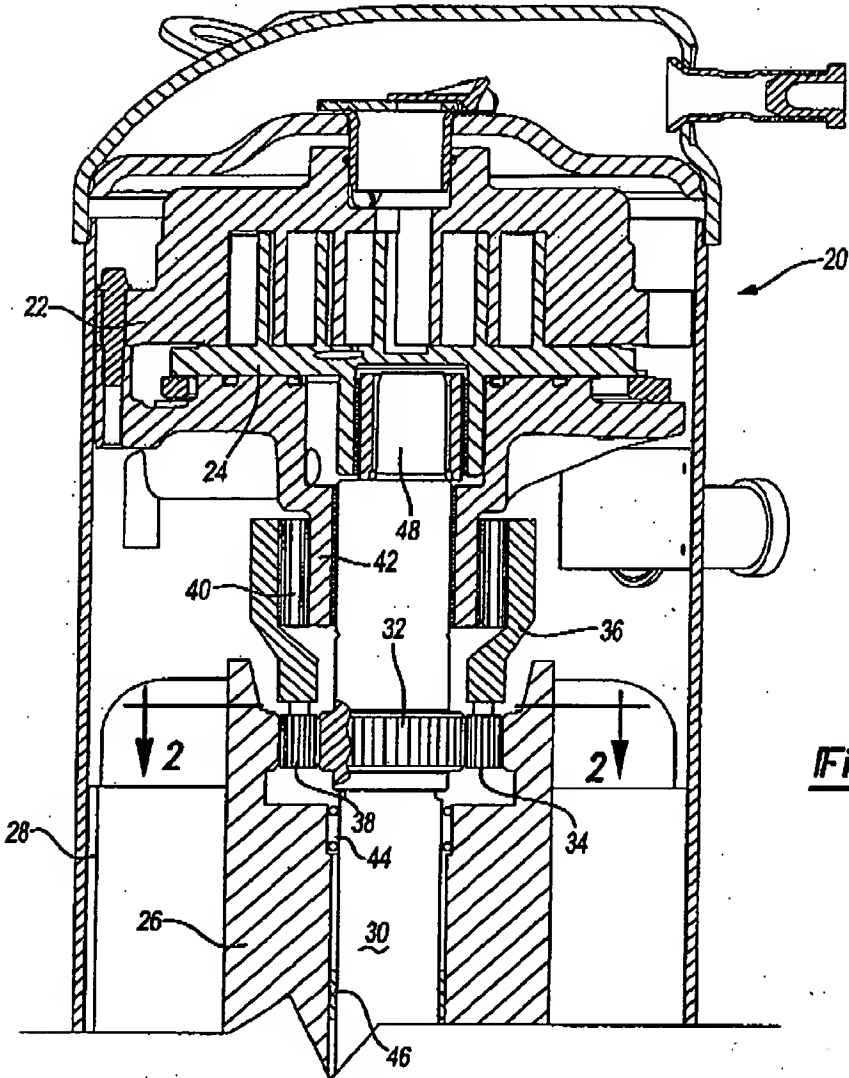


Fig-1

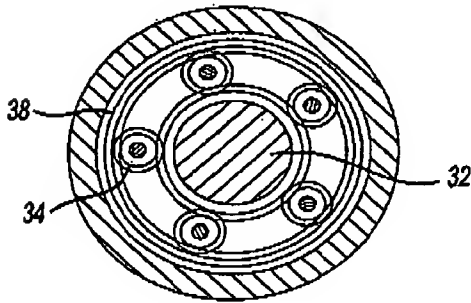


Fig-2



REPLACEMENT SHEET  
Serial No. 09/090,358  
Filed 06/04/1998

2/3

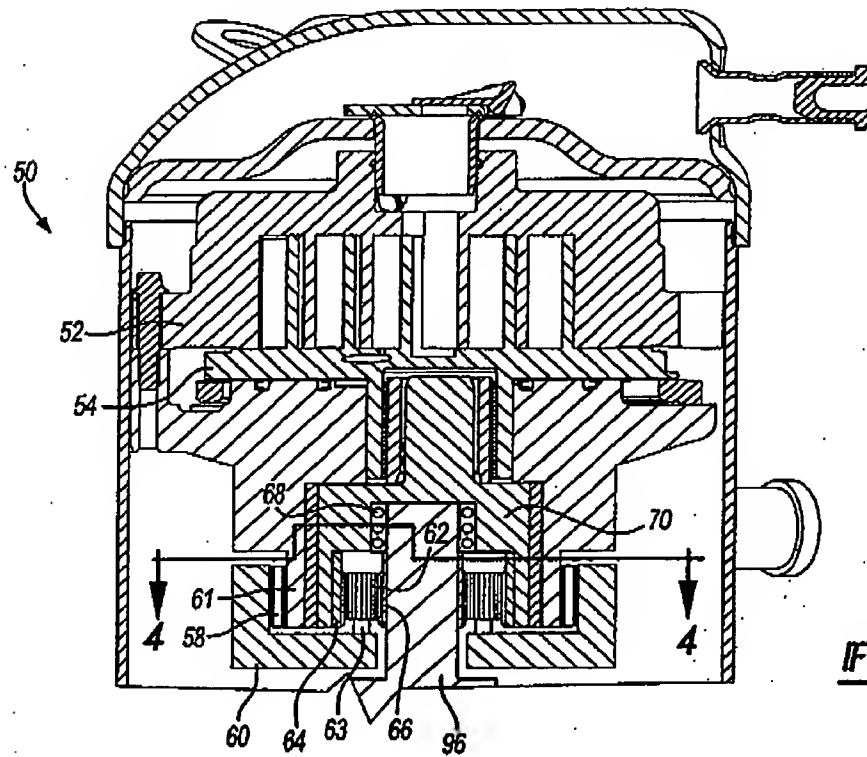


Fig-3

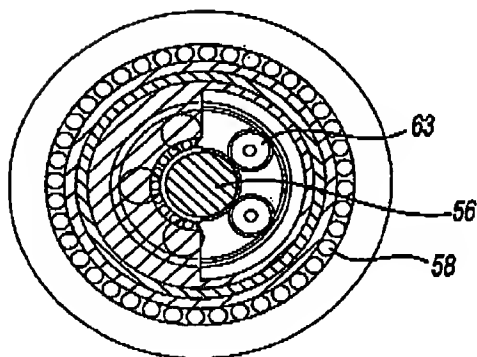


Fig-4



SEP 26 2005

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: MailMail Stop ISSUE FEE  
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Amy M. Spaulding (Depositor's name)  
*Amy M. Spaulding* (Signature)  
January 5, 2004 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/090,358	06/04/1998	JOSEPH P. LOFRETE	60,298-038	3800

TITLE OF INVENTION: SCROLL COMPRESSOR WITH MOTOR CONTROL FOR CAPACITY MODULATION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$0	\$1330	02/03/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
GRAY, MICHAEL KUHN	3746	417-410500

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

Carlson, Gaskey &amp; Olds

1  
2  
3

## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Scroll Technologies

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Arkadelphia, AR

Please check the appropriate assignee category or categories (will not be printed on the patent);

☐ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

☒ Issue Fee☐ Publication Fee☒ Advance Order - # of Copies 10

4b. Payment of Fee(s):

☒ A check in the amount of the fee(s) is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-1482 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

*John M. Diagusa*

(Date)

January 5, 2004

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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TRANSMIT THIS FORM WITH FEE(S)

PTOL-85 (Rev. 10/03) Approved for use through 04/30/2004.

OMB 0651-0033

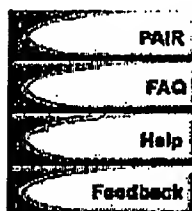
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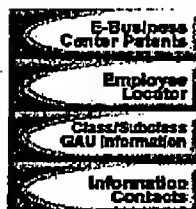
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## PATENT APPLICATION INFORMATION RETRIEVAL



## Other Links



Search results for application number: 09/090,358			
Application Number:	09/090,358	Customer Number:	26096
Filing or 371(c) Date:	06-04-1998	Status:	Abandonment for Failure to Drawings/Oath/NonPub Req
Application Type:	Utility	Status Date:	03-12-2004
Examiner Name:	GRAY, MICHAEL KUHN	Location:	FILE REPOSITORY (FRANCO
Group Art Unit:	3746	Location Date:	03-16-2004
Confirmation Number:	3800	Earliest Publication No:	-
Attorney Docket Number:	60.298-038	Earliest Publication Date:	-
Class/ Sub-Class:	417/410.5	Patent Number:	-
First Named Inventor:	JOSEPH F. LOPRETE, BRISTOL, TN (US)	Issue Date of Patent:	-
Title Of Invention:	SCROLL COMPRESSOR WITH MOTOR CONTROL FOR CAPACIT		

Select Search Option

Continuity Data

Patent Term Extension History

Search

File History		
Number	Date	Contents Description
56	03-12-2004	Mail Abandonment for Failure to Correct Drawings/Oath
<del>55</del>	<del>03-12-2004</del>	<del>Abandonment for Failure to Correct Drawings/Oath/NonPub Req</del>
54	01-12-2004	Issue Fee Payment Recorded
<del>53</del>	<del>12-19-2003</del>	<del>Receipt into Pubs</del>
52	11-26-2003	Receipt into Pubs
51	11-26-2003	Workflow - Query Request - Finish
50	11-19-2003	Receipt into Pubs
49	11-17-2003	Workflow - Query Request - Begin
48	11-07-2003	Workflow - File Sent to Contractor
47	11-07-2003	Receipt into Pubs
46	11-05-2003	Dispatch to Publications
45	11-05-2003	Issue Revision Completed
44	11-03-2003	Mail Notice of Allowance

43	11-03-2003	Notice of Allowance Data Verification Completed
42	11-03-2003	Notice of Allowability
41	09-20-2003	Mail Notice of Rescinded Abandonment
40	11-03-2003	Notice of Rescinded Abandonment In TCs
39	05-30-2003	Workflow - Drawings Received at Contractor
38	09-20-2002	Petition to Revive Application - Granted
37	09-06-2002	Petition Entered
36	08-21-2002	Petition Decision - Dismissed
35	04-22-2002	Petition Entered
34	02-22-2002	Mailing of Abandonment after Board of Appeals
33	02-22-2002	Abandonment after Board of Appeals
32	01-25-2002	Case Docketed to Examiner in GAU
31	11-19-2001	Mail BPAI Decision on Appeal - Affirmed
30	11-19-2001	BPAI Decision - Examiner Affirmed
29	06-18-2001	Assignment of Appeal Number
28	11-11-2001	Case Docketed to Examiner in GAU
27	11-08-2000	Correspondence Address Change
26	10-20-2000	Mail Reply Brief Noted by Examiner
25	10-20-2000	Reply Brief Noted by Examiner
24	10-08-2000	Date Forwarded to Examiner
23	09-29-2000	Reply Brief Filed
22	10-06-2000	Correspondence Address Change
21	07-31-2000	Mail Examiner's Answer
20	07-31-2000	Examiner's Answer to Appeal Brief
19	07-24-2000	Date Forwarded to Examiner
18	07-17-2000	Appeal Brief Filed
17	06-02-2000	Mail Advisory Action (PTOL - 303)
16	06-02-2000	Advisory Action (PTOL-303)
15	05-25-2000	Notice of Appeal Filed
14	02-25-2000	Date Forwarded to Examiner
13	02-21-2000	Amendment after Final Rejection
12	02-28-2000	Mail Final Rejection (PTOL - 326)
11	02-25-2000	Final Rejection
10	02-07-2000	Information Disclosure Statement (IDS) Filed
9	02-11-2000	Date Forwarded to Examiner
8	02-07-2000	Response after Non-Final Action
7	11-22-1999	Mail Non-Final Rejection
6	11-19-1999	Non-Final Rejection
5	10-27-1999	Case Docketed to Examiner in GAU
4	08-14-1998	Case Docketed to Examiner in GAU
3	06-29-1998	Application Dispatched from OIPE
2	06-15-1998	IFW Scan & PACR Auto Security Review
1	06-08-1998	Initial Exam Team nn

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